

Medical Supply Transparency and Delivery Act

A bill to provide for the expedited and transparent procurement and distribution of equipment and supplies needed to combat COVID-19

The Trump Administration was absent during the critical early stages of the COVID-19 crisis and the response to date has been wholly inadequate. Beginning in January, COVID-19 began appearing in the President's Daily Brief and yet, the President spent months downplaying the impact the virus could have on Americans and failed to secure necessary supplies for states. Only after significant bipartisan pressure did he even begin to partially utilize the Defense Production Act (DPA), which provides the President with the authority to require U.S. manufacturers to produce in-demand resources during a crisis and oversee the allocation of those resources. States and the American public have no information about how the Administration is making decisions to distribute critical supplies.

The Medical Supply Transparency and Delivery Act lays out a framework for an effective COVID-19 response by federalizing the supply chain for critical supplies and equipment and requiring the use of all authorities necessary to mobilize a federal response to the pandemic through an equitable and transparent process.

The Medical Supply Transparency and Delivery Act would:

Require publicly reported national assessments on a weekly basis to determine national critical equipment supply and requirements.

- These reports will also identify industry sectors and manufacturers most ready to fill orders, stockpiles that can be refurbished or repaired, and supplies and equipment that can be redistributed to new hotspots.

Establish an Executive Officer to oversee acquisition and logistics for COVID-19 equipment production and delivery.

- The Executive Officer will have all the authorities available under the DPA.
- The Executive Officer is required to issue major purchase orders under DPA for supplies identified in the assessments, oversee all distribution of critical medical supplies, and make recommendations to the President on increasing national production capacity of supplies.
- The Executive Officer will be a civilian position appointed by Secretary of Defense and will be authorized additional uniformed and DOD civilian personnel in supporting roles.
- The Executive Officer will ensure that all unused supplies in excess of need will be turned over to the Strategic National Stockpile.
- The Executive Officer will terminate when the person affirms to Congress that all State and territorial medical supply needs have been met.

Increase transparency regarding the distribution of supplies and equipment.

- The Executive Officer is required to publicly post all states' requests for assistance, metrics and criteria for amount and destination of distribution, metrics for determining hotspots and areas of future concern, and production and procurement benchmarks.

Require a comprehensive plan for COVID-19 testing, including viral and antibody testing.

Require a GAO report to identify lessons learned and make recommendations on future pandemic response.

Establish an Inspector General to oversee implementation of the Act.